

Federal Court



Cour fédérale

Date: 20260121

Docket: IMM-4203-25

Citation: 2026 FC 93

Ottawa, Ontario, January 21, 2026

PRESENT: Madam Justice Sadrehashemi

BETWEEN:

ALMAS YESSIM

Applicant

and

**MINISTER OF CITIZENSHIP
AND IMMIGRATION**

Respondent

JUDGMENT AND REASONS

[1] After completing his studies in Canada, the Applicant, Almas Yessim, applied for a Post Graduate Work Permit [“PGWP”]. An officer at Immigration, Refugees and Citizenship Canada [“IRCC”] refused the PGWP application. Mr. Yessim is challenging this refusal on judicial review.

[2] Mr. Yessim made an application for a work permit inside of Canada under section 199 of the *Immigration and Refugee Protection Regulations*, SOR/2002-227 [IRPR]. In support of his application, his representative provided submissions to “provide additional context to support his case.” The submissions explain that at some point in his studies, due to a car accident, Mr. Yessim took an unauthorized leave greater than 150 days from his studies, his study permit extension was refused and then he applied for a visitor visa to remain legally in Canada.

[3] The Officer refused the application because Mr. Yessim’s circumstance, a holder of a visitor visa, did not fall under any of the circumstances listed under section 199 of the IRPR where an officer can issue a work permit applied for from inside Canada, the category under which the Applicant applied.

[4] Both parties agree that Mr. Yessim was not eligible and did not meet the requirements for the program under which he applied. Mr. Yessim argues that: i) the Officer had to nonetheless address the submissions and evidence he filed relating to his humanitarian circumstances; and ii) the Officer had to consider based on the evidence before them whether Mr. Yessim could have qualified under another application, like a temporary resident permit under section 24 of the *Immigration and Refugee Protection Act*, SC 2001, c 27 [IRPA] or an application for a work permit from outside of Canada under section 197 of the IRPR.

[5] I am not persuaded by the Applicant’s arguments.

[6] Mr. Yessim did not state in his submissions that he was ineligible for the program under which he was applying, nor did he request that the Officer consider his circumstances under another category. The circumstances are set out as “additional context to support his case.” I cannot find it unreasonable for the Officer to not have addressed these submissions in their reasons when there was no request made for what the Officer ought to do with these submissions in light of clear ineligibility under the regulation he was applying.

[7] While a decision-maker’s reasons must be responsive to the parties’ submissions, this does not mean a decision-maker must refer to every line of argument. In my view, based on how the submissions were framed and Mr. Yessim’s clear ineligibility for the work permit applied for, the submissions at issue could not be characterized as a central issue or concern requiring a response (*Canada (Minister of Citizenship and Immigration) v Vavilov*, 2019 SCC 65 [Vavilov] at paras 127-128). Of course, I agree it would have been preferable for the Officer to have explained that they did not have the discretion to allow the application under the category under which Mr. Yessim applied. I do not, however, think that it was unreasonable for the Officer to have not stated this in their decision.

[8] Mr. Yessim references this Court’s decision in *Sugagata v. Canada (Citizenship and Immigration)*, 2024 FC 1436 [Sugagata] that dealt with a PGWP refusal. The Applicant specifically relies on the fact that though officers do not have the discretion to modify the conditions of eligibility of the PGWP, Justice Grammond found officers still had to “exercise their best judgment and take into account all relevant factors when assessing a student’s compliance with their study permit conditions” (*Sugagata* at para 4). This quote comes directly

from the IRCC's own guidance and only relates to assessing a student's compliance with their study permit conditions. The Officer's refusal here was not about study permit conditions but rather about whether Mr. Yessim's application could be considered as a work permit from inside Canada under section 199 of the *IRPR*.

[9] Lastly, I see no merit to the argument that it was unreasonable for the Officer, in this context, to have not considered the Applicant's application under other categories for which he had not applied. The Officer had to process the application that was before them.

[10] The application for judicial review is dismissed. Neither party raised a question for certification, and I agree none arises.

JUDGMENT IN IMM-4203-25

THIS COURT’S JUDGMENT is that:

1. The application for judicial review is dismissed; and
2. No serious question of general importance is certified.

“Lobat Sadrehashemi”

Judge

FEDERAL COURT
SOLICITORS OF RECORD

DOCKET: IMM-4203-25

STYLE OF CAUSE: ALMAS YESSIM v MINISTER OF CITIZENSHIP
AND IMMIGRATION

PLACE OF HEARING: BY VIDEOCONFERENCE

DATE OF HEARING: JANUARY 20, 2026

JUDGMENT AND REASONS: SADREHASHEMI J.

DATED: JANUARY 21, 2026

APPEARANCES:

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